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## ARIZONA ATTORNEY GENERAL

November 1, 1951  
Op. No. 51-285

Mr. Arthur C. Miller  
Regional Attorney  
Federal Security Agency  
441 Federal Office Building  
San Francisco 2, California

Dear Mr. Miller:

We have your telegram of October 24 wherein you ask our opinion concerning whether or not Arizona presently has legislation prescribing conditions of public access to records of disbursements which fulfills the requirements of Section 618 of the Federal Revenue Act of 1951. We have waited to contact the Department before attempting to reply.

The only legislation we have concerning the matter is Section 70-117 ACA 1939, as amended, which reads as follows:

"Confidential nature of records.--(a)  
The state department shall have the power to make and enforce only such rules and regulations regarding the confidential nature and use of the records as may be required by federal law. The county departments shall make no rules or regulations regarding the confidential nature of the records."

Pursuant to this statutory authority, the State Commissioner of Public Welfare has written a regulation which the State Board of Public Welfare has informally approved and will formally adopt at its November Board meeting. The regulation provides:

"Effective October 29, 1951, the names addresses, assistance program and amounts of grants of public assistance

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recipients will be open to public inspection to any person having a legitimate interest except for commercial or political purposes. County Directors may refer requests of doubtful interest to the Commissioner for decision."

This regulation, in our opinion, in view of the above quoted statute fulfills the conditions prescribed in the Federal Act concerning the availability to the public of welfare records.

Very truly yours,

FRED O. WILSON  
Attorney General

KENT A. BLAKE  
Assistant Attorney General

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